

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JONATHAN C. RODGERS.

Plaintiff,

V.

RLD, EXECUSTIVE ASSISTANT, CLARK
COUNTY DISTRICT COURT.

Defendants.

No. 09-5327RJB/JRC

ORDER TO PROVIDE UPDATED INFORMATION

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrate Judges' Rules MJR 1, MJR 3, and MJR 4. Before the court is plaintiff's motion to proceed *in forma pauperis* (Dkt. # 1 and 5).

On August 26, 2009, this court recommended plaintiff's motion be denied (Dkt. # 3).

The district court adopted that Report and Recommendation September 15, 2009 (Dkt. # 4).

Plaintiff filed documents trying to correct the defects in his application on September 14, 2009.

ORDER 1

1 and those documents were filed September 17, 2009 (Dkt. # 5). On September 29, 2009, the
2 case was referred back to this court.

3 The court has reviewed the documents that plaintiff sent to court. The application
4 received by the court on September 14, 2009, was signed April 1, 2009, and was five months old
5 when submitted (Dkt. # 5). Further, Plaintiff indicates in that application he has five hundred
6 and eighty-five dollars as a current balance on his accounts (Dkt. # 5).
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8 The prison account sent by plaintiff is for March 2009, and was even older than the
9 motion (Dkt. # 6). The court needs updated, current information as to plaintiff's ability to pay
10 the filing fee in this action.

11 The court **ORDERS** plaintiff to file an updated and current application and inmate
12 account statement on or before **December 10, 2009**. Failure to provide updated and current
13 information will result in a Report and Recommendation that this action be dismissed.
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15 DATED this 10th day of November, 2009.

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19 J. Richard Creatura
20 United States Magistrate Judge
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